

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

60010-0012

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

6-14-01 A

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Lawrence G. Roberts, entitled NETWORK FAILURE RECOVERY MECHANISM, for a(n):

jc973 U.S. PTO  
09/880600

06/12/01

 (X) Original Patent Application.

- ( ) Continuing Application (prior application not abandoned):  
 Continuation       Divisional       Continuation-in-part (CIP)  
 of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
 A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

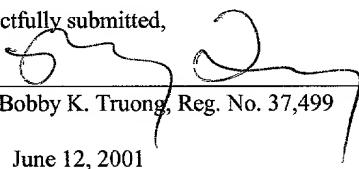
- Specification 78 Total Pages;  Drawing(s) 11 Total Sheets;  Cover Sheet 1 Page  
 Oath or Declaration: 2 Pages  
 A Newly Executed Combined Declaration and Power of Attorney:  
 Signed.       Unsigned.       Partially Signed.  
 A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
 Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
 Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
 Power of Attorney.       Return Receipt Postcard.  
 Associate Power of Attorney.       A Check in the amount of \$1,879.00 for the Filing Fee.  
 Preliminary Amendment.       Information Disclosure Statement and Form PTO-1449.  
 Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)  
 A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
 A Certified Copy of Priority Documents (if foreign priority is claimed).  
 Applicant(s) is entitled to small entity status. See 37 CFR 1.27.  
 Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.  
 Recordation of Assignment Cover Sheet and **executed** Assignment (2 pgs).  
 Other: Check in the amount of \$40.00 assignment recording fee.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	136	116	\$9.00	\$ 1,044.00
Independent Claims	15	12	\$40.00	\$ 480.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$355.00
			Total Filing Fee	\$ 1,919.00

Charge \$ \_\_\_\_\_ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

  
Bobby K. Truong, Reg. No. 37,499

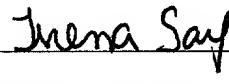
Date: June 12, 2001

Correspondence Address:

Hickman Palermo Truong & Becker, LLP  
 1600 Willow Street  
 San Jose, California 95125-5106  
 Telephone: (408) 414-1080  
 Facsimile: (408) 414-1076

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents  
 Box Patent Application  
 Washington, D.C. 20231

By: 

Typed Name: Tirena Say

Express Mail Label No.: EL734778938US

Date of Deposit: June 12, 2001

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision,  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$1,919.00)

## Complete if Known

Application Number	NYA
Filing Date	June 12, 2001
First Named Inventor	Lawrence G. Roberts
Examiner Name	NYA
Group/Art Unit	NYA
Attorney Docket No.	60010-0012

## METHOD OF PAYMENT (check one)

1.  Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number **50-1302**

Deposit Account Name **Hickman Palermo Truong & Becker, LLP**

2.  Payment Enclosed:

Check     Money Order     Other

3.  Applicant(s) is entitled to small entity status.  
See 37 CFR 1.27

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	130	205	65 Surcharge – late filing fee or oath
127	50	227	25 Surcharge – late provisional filing fee or cover sheet.
139	130	139	130 Non-English specification
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	390	216	195 Extension for reply within second month
117	890	217	445 Extension for reply within third month
118	1,390	218	695 Extension for reply within fourth month
128	1,890	228	945 Extension for reply within fifth month
119	310	219	155 Notice of Appeal
120	310	220	155 Filing a brief in support of an appeal
121	270	221	135 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive – unavoidable
141	1,210	241	605 Petition to revive – unintentional
142	1,210	242	605 Utility issue fee (or reissue)
143	430	243	215 Design issue fee
144	580	244	290 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Petitions related to provisional applications
126	240	126	240 Submission of information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties) 40.00
146	690	246	345 Filing a submission after final rejection (37 CFR § 1.129(a))
149	690	249	345 For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)			
Other fee (specify)			
SUBTOTAL (1)	(\$1,355.00)		
SUBTOTAL (2)	(\$1,524.00)		
SUBTOTAL (3)	(\$40.00)		

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Bobby K. Truong	Registration No. (Attorney/Agent)	37,499	Telephone	(408) 414-1080
Signature				Date	June 12, 2001

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

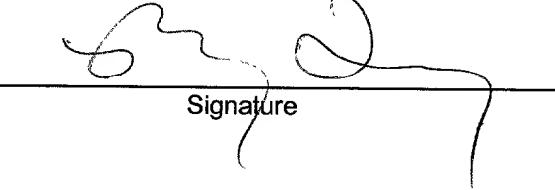
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Lawrence G. Roberts
Title	NETWORK FAILURE RECOVERY MECHANISM	
Atty. Docket Number	60010-0012	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 12, 2001

Date



Signature

Bobby K. Truong

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**